

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36849 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- MAHILA PS District- East Champaran

KRISHNA KUMAR SAHANI Son of Chandrika Sahani Resident of Village-
Rasmandal, P.S.- Pipra, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-06-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 406, 498A/34 IPC and Section 3 and 4 of the D.P. Act registered in connection with Motihari Mahila P.S. Case No. 06 of 2019.

3. It is submitted that the petitioner has been falsely implicated, rather the petitioner himself has been made a victim of fraud and the marriage was performed with a different girl from the one shown to him at the time of negotiation. It is submitted that the petitioner's wife is a handicapped lady suffering from breast cancer and for which the petitioner has been providing proper medical facilities. The present FIR has been lodged as her father and brother want a share in the land of the petitioner to be registered in her name. A statement is made at the Bar on behalf of the petitioner that he would continue to provide proper medical facilities for his wife. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, East Champaran at Motihari in connection with Motihari Mahila P.S. Case No. 06 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.
- v. That the petitioner shall provide proper medical facilities for the treatment of his wife.

(Vikash Jain, J)

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